

Appl. No. 09/610,773

Response to Office Action dated September 22, 2005

## REMARKS

This Response is submitted in reply to the Office Action dated September 22, 2005. Claims 1-26 are pending in the patent application. Claims 1, 8, 9, 10, 19 and 20 have been amended. No new matter has been added by any of the amendments made herein. Claims 1-26 were rejected under 35 U.S.C. §103(a). Applicant respectfully submits that at least for the reasons set forth below, the rejections have been overcome. Accordingly, Applicant respectfully requests reconsideration of the patentability of claims 1-26 in view of the cited art.

Claims 1-4, 6-15, 17 and 19-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,177,931 to Alexander et al. ("*Alexander*"). Applicant respectfully submits that *Alexander* does not disclose, teach or suggest the elements of claims 1-26 for at least the following reasons. *Alexander* is directed to an electronic programming guide ("EPG") that is an improvement over previous EPGs. Specifically, *Alexander* is directed to a system and method for displaying and recording control interface with television programs, video, advertising information and program scheduling information. The system in *Alexander* enables viewers to better control video recording of future scheduled programs, improves the display and navigation of programs to a viewer and provides other functions related to the scheduling and display of programs such as television programs to a viewer. In one example shown in Fig. 1, a television display 10 displays a navigation bar 20, a grid guide 22 and an information box 24. These items display programming information and also enable a viewer to find and/or record programs on the display. Additionally, windows 12, 14 and 16 are displayed on the screen display 10. Window 12 displays a real time television program. Window 14 displays an ad for a future telecast program and window 16 displays an ad for a product or service. Each of the windows 14 and 16 are linked to additional information about the program product or service displayed in that window. (Col. 3, line 56 to column 4, line 43).

*Alexander* does not disclose, teach or suggest, however, an information processing apparatus that includes, in part, an information receiving means which receives main program composition information and source data which contains information relating to a television broadcast program. While Applicant respectfully disagrees with Office Action in regards to the OFFICIAL NOTICE taken whereby the Office Action states, "it is notoriously well known in the art to distribute EPG information via a 'second broadcast station' or source different from the

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'first broadcast station' so as to advantageously provide greater flexibility by allowing a third party source to provide the service," see, Office Action, page 4, Applicant submits that regardless of whether the information is broadcast from the same station or a different station, it is not known in the art to receive main program composition information and source data which contains information relating to a main broadcast program from a first broadcast station to form information that supplements at least one television broadcast program.

Further, the scheduling information in *Alexander* does not provide information about a main broadcast program to a second station to make supplemental information regarding the main broadcast program.

For at least these reasons, *Alexander* does not disclose, teach or suggest the elements of amended claim 1. Therefore, amended claim 1 and claims 2-7 which depend from amended claim 1, are each patentably distinguished over *Alexander* and are in condition for allowance.

Amended claims 8, 9, 10, 19 and 20 include certain similar elements to amended claim 1. Therefore, for at least the reasons provided above for amended claim 1, amended claims 8, 9, 10, 19 and 20, claims 11-18 which depend from amended claim 10 and claims 21-26 which depend from amended claim 20, are each patentably distinguished over *Alexander* and are in condition for allowance. Accordingly, the obviousness rejection in view of *Alexander* should be withdrawn.

Claims 5, 16 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Alexander* in view of U.S. Patent No. 5,561,708 to Remillard ("*Remillard*"). Claim 5 depends from amended claim 1, and claims 16 and 18 depend from amended claim 10. Therefore, claims 5, 16 and 18 are allowable for at least the reasons set forth above with respect to amended claims 1 and 10 because the combination of *Alexander* and *Remillard* does not disclose, teach or suggest the novel elements of claim 5 in combination with amended claim 1 and claims 16 and 18 in combination with amended claim 10.

In light of the above, Applicant respectfully submits that claims 1-26 are patentable over the art of record because neither *Alexander* nor *Remillard*, nor the combination of these references, disclose, teach or suggest all of the elements of these claims. Accordingly, Applicant respectfully requests that the rejection of claims 1-26 be withdrawn.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance and earnestly solicits reconsideration of same.

Respectfully submitted,

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